

COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS.

SUPERIOR COURT
DOCKET # 2577CV01253

K. F., a minor, by his mother,	)
SANDRA FERNANDEZ DE VILLAVICENCIO,	)
and SANDRA FERNANDEZ DE VILLAVICENCIO,	)
individually	)
	)
<i>Plaintiffs,</i>	)
	)
v.	)
	)
CUBE 3 STUDIO LLC,	)
	)
<i>Defendant</i>	)

DEFENDANT CUBE 3’S PARTIAL MOTION
FOR SUMMARY JUDGMENT

Pursuant to Mass. R. Civ. P. 56, Defendant Cube 3 Studio LLC (“Cube 3”), submits this Motion for Summary Judgment on Counts I, II, III, and VI of the Complaint by plaintiffs K. F., a minor, by his mother, Sandra Fernandez De Villavicencio (“K.F.”) and Sandra Fernandez De Villavicencio (“Ms. Fernandez”), individually (collectively, “Plaintiffs”). As set forth in the accompanying Memorandum of Law, there are no material facts in dispute concerning the Plaintiffs’ claims, and Cube 3 is entitled to judgment as a matter of law.

WHEREFORE, Defendant Cube 3 requests that this Court:

1. Grant its Motion for Summary Judgment and enter judgment as a matter of law in its favor on Counts I, II, and III;
2. To the extent that Count VI is not resolved by the accompanying Motion for Judgment on the Pleadings, grant this Motion for Summary Judgment and enter judgment a matter of law;

3. Grant such further relief as this Court deems just and appropriate.

CUBE 3 REQUESTS A HEARING ON THIS MOTION.

Date: January 20, 2026

Respectfully submitted,
The Defendant,
Cube 3 Studio LLC
By its Attorneys,

/s/ Michael P. Schaefer
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CERTIFICATE OF SERVICE

I hereby certify that on January 20, 2026, I served a true and accurate copy of the foregoing document upon the named plaintiffs via email and first-class mail as follows:

Sandra Fernandez De Villavicencio, *Individually*
K. F., c/o Sandra Fernandez De Villavicencio
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sandreval4@yahoo.com

/s/ Michael Schaefer
Michael Schaefer